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Transylvania County  
Department of Public Health

**SL 2014-120 Section 29 (b) Report: Transylvania County, Environmental Health Section**

**Part 1A: On-site Water Protection: Standardize Certain Regulatory Review Procedures**

*Reference Session Law 2014-120, Section 29.(b).*

- I. Systems with design daily flows  $\geq 3,000$  total gallons per day [15A NCAC 18A .1938(e)] or for treatment of industrial process wastewater (IPWW) [15A NCAC 18A .1938(f)].
  - A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees. NC DHHS Large System Protocol is used based on design daily flow.
  - B. Assign to EH supervisor and additional staff as required.
  - C. Notify state regarding need for review and convey materials to the State
  - D. Assist the State with processes outlined in Part 1A, Section I of the State report
- II. Design plans and specifications pursuant to Rule .1938(f)
  - A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees.
  - B. File a Request for Review describing which elements of the Submittal the OSWP should review.
  - C. Convey the Regulatory Submittal and Request to Review to the OSWP.
  - D. Assist the State with processes outlined in Part 1A, Section II.B of the State report
- III. Design daily flow review pursuant to Rule .1949
  - A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees.
  - B. File Request for Review for a proposal submitted based on Rule .1949 and convey it to the OSWP with the Regulatory Submittal.
  - C. Assist the State with processes outlined in Part 1A, Section II.A of the State report
- IV. Design plans and specifications pursuant to Rule .1948(d)
  - A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees.
  - B. File Request for Review for a proposal submitted based on Rule .1948(d) and convey it to the OSWP with the Regulatory Submittal.
  - C. Assist the State with processes outlined in Part 1A, Section II.C of the State report.



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- V. Design plans and specifications for flow reduction utilizing low-flow fixtures or low-flow technologies pursuant to Session Law 2013-413 or 2014-120. The procedures below are for reviews conducted on the local level only.
- A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees.
  - B. Conduct Review.
  - C. Provide a response to the Submitting Party that includes:
    - a. *An approval of the system engineering plans and specifications, or*
    - b. *A request for revisions that include:*
      - (a) A section detailing any required revisions with citation of applicable statute or rule(s);
      - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).
    - c. *A request for additional information that includes:*
      - (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
      - (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice).
      - (c) Detailed listing of fixtures and practices that will be used in the facility to achieve flow reduction.
  - D. Submittals may be sent to the State on a case-by-case basis. In those instances, procedures outlined in Section II above apply.
- VI. Any other Regulatory Submittal for on-site wastewater system permitting, including, but not limited to design plans and specifications pursuant to Rules .1938 (d) and (e).
- A. Receive application and process in accordance with TCDPH EH policy manual, including the receipt of all applicable fees.
  - B. Assign to EH supervisor and additional staff as required.
  - A. Conduct Review
  - B. Consult with OSWP (Regional Soil Scientist and/or State Engineer) as needed
  - C. Provide a response to the Submitting Party that includes:
    - a. *An approval of the system engineering plans and specifications, or*
    - b. *A request for revisions that include:*
      - (a) A section detailing any required revisions with citation of applicable statute or rule(s);
      - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).
    - c. *A request for additional information that includes:*



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- (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
- (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice).

### **Part 1B: Food Protection and Facilities: Standardize Certain Regulatory Review Procedures**

*Reference Session Law 2014-120, Section 29.(b).*

- I. Environmental Health Specialists at Transylvania County Department of Public Health, Environmental Health Section (TCDPH EHS) act as authorized agents of the NC Division of Health and Human Services, Department of Public Health, Environmental Health Section (DPHEHS). Specialists review plans for individual food establishments (franchise prototype plans are reviewed at the state level, not locally), lodging establishments with and without food preparation, public swimming pools, and may be provided for institutions that provide health care, confinement or educational services (such as local jails, child care centers and resident camps). Technical assistance is available from state staff at DPHEHS. Plan review applications and checklists available from the state office include:
  - A. A food service facility plan review application is provided by DPHEHS and modified to include local information to assure all information needed for review is available.
  - B. A public swimming pool plan review checklist provided by DPHEHS is used to assure all safety requirements and circulation system components are able to meet the water quality requirements.
  - C. Additional applications for permitting of multiple facilities are available through DPHEHS for obtaining basic information and may or may not include plans drawn by a professional engineer or architect.
  - D. Locally developed checklists and applications are available on the TCDPH website for other facilities that require plan review by rule prior to construction or commencement. These are based on the appropriate sections of the NC Administrative Code rules.
    - 1. Food establishments:
      - a. Temporary food establishment checklist for operators and application for permit
      - b. Limited food establishment application



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- c. Summer feeding site program application
- d. Resident camps field sanitation checklist (for developing written procedures required by rule)
- 2. Other facilities:
  - a. Swimming pool plan review application
  - b. Swimming pool drain compliance data sheet to verify compliance with the Virginia Graham-Baker Act as required by rule and statute.

**Part 2A: On-site Water Protection Informal Internal Review Processes  
and  
Procedures to Develop and Maintain a List of Review Engineers**

*Reference Session Law 2014-120, Section 29.(c).*

- I. If a Submitting Party requests an Informal Internal Review of an engineered OSWP design, the request will be forwarded to the State in accordance with Part 2A Section III of the State report.
- II. Procedure For Developing and Maintaining a List of PEs for Informal Internal Reviews
  - A. Transylvania County Environmental Health will utilize the OSWP Branch list of PE's for informal reviews in accordance with SL 2014-120 Report DHHS DPH EHS Part 2A, Section IV Procedure for Developing and Maintaining a List of PE's for Informal Internal Reviews.
  - B. Transylvania County Environmental Health will use OSWP Branch website for this list in accordance with SL 2014-120 Report DHHS DPH EHS Part 2A, Section IV.

**Part 2B: Food Protection and Facilities Informal Internal Review Processes  
and  
Procedures to Develop and Maintain a List of Review Engineers**

*Reference Session Law 2014-120, Section 29.(c).*

- I. If a Submitting Party requests an Informal Internal Review of an engineered Food Protection and Facilities design, the request will be forwarded to the State in accordance with Part 2B Section II of the State report.
- II. Procedure For Developing and Maintaining a List of PEs for Informal Internal Reviews



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- A. Transylvania County Environmental Health will utilize the Food Protection and Facilities Branch list of PE's for informal reviews in accordance with SL 2014-120 Report DHHS DPH EHS Part 2B, Section III Procedure for Developing and Maintaining a List of PE's for Informal Internal Reviews.
- B. Transylvania County Environmental Health will use Food Protection and Facilities Branch website for this list in accordance with SL 2014-120 Report DHHS DPH EHS Part 2B, Section III.

**Part 3A: Onsite Water Protection Review of Working Job Titles**

*Reference Session Law 2014-120, Section 29.(h).*

- I. The working titles and position descriptions of all Transylvania County staff who review Regulatory Submittals for OSWP were reviewed with Transylvania County Human Resources. No Environmental Health positions have engineer in the title. All positions and titles subject to review Regulatory Submittals are listed below:
  - A. Environmental Health Supervisor
  - B. Environmental Health Program Specialist
  - C. Environmental Health Specialist

**Part 3B: Food Protection and Facilities Review of Working Job Titles**

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- I. The working titles and position descriptions of all Transylvania County staff who review Regulatory Submittals for Food Protection and Facilities were reviewed with Transylvania County Human Resources. No Environmental Health positions have engineer in the title. All positions and titles subject to review Regulatory Submittals are listed below:
  - A. Environmental Health Supervisor
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